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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,266	06/07/2001	John Brassil	1509-185	4601

22879 7590 10/05/2005

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EXAMINER

ELAHEE, MD S

ART UNIT PAPER NUMBER

2645

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,266

Applicant(s)

BRASSIL ET AL

Examiner

Md S. Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 07/18/05. Claims 1-12 and 14-18 are pending. Claim 13 has been cancelled. Claims 16-18 have been added.

Response to Arguments

2. Applicant's arguments with respect to claims 1-12, 14 and 15 have been fully considered but they are not persuasive.

Regarding claim 1, the Applicant argues on page 11, lines 4-10 that "Applicants challenge the assertion in the Office Action that because "the user pays for a service and position transmitter acknowledges it, it is inherent that mobile device makes a request for permission for the transfer for the required data." First, it is not completely clear what is intended by "position transmitter" since Rautila identifies no such structure. Second, a proper basis for inherency has not been established". The examiner disagrees with this argument. Rautila teaches after receiving advertisement mobile terminal user sends a payment request to a network server and after receiving payment, position transmitter transmits acknowledgement and provides permission to the user to have access to services [i.e., required data] (see col.4, lines 33-54, col.6, line 48- col.7, line 10). Since, the user made a payment request for the service and receives permission to have access for the service after making payment it is inherent that the user made the request for the permission of transferring services from location based device or vending machine to the user mobile device. Thus the rejection of the claim in view of Rautila remain.

Regarding claim 3, the Applicant argues on page 14, lines 10-15 that "Concerning claim 3, applicants cannot agree that Rautila discloses the requirement for the first communication

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device to communicate a message accepting the costing to the service provider using the first transceiver. There is no disclosure of accepting costing at column 6, line 48, through column 7, line 10, as alleged in the Office Action". The examiner disagrees with this argument. Rautila teaches after receiving advertisement information including a price of goods or services, mobile terminal user sends a payment [i.e., costing] request to a network server (see col.4, lines 33-54, col.6, line 48- col.7, line 10). Since, the user made a payment request for the service it is inherent that the user made the request after he accepts the payment for the service. Thus the rejection of the claim in view of Rautila remain.

Regarding claim 4, the Applicant argues on page 14, lines 16-23 that "With respect to claim 4, the Office Action fails to establish the proper basis for an inherency rejection. The Office Action contends Rautila discloses a service provider that issues an authorization once acceptance of the costing is received from the first communication device. However, the Examiner must provide rationale, not merely assert, that column 6, line 48, through column 7, line 10, inherently includes the requirements of claim". The examiner disagrees with this argument. Rautila teaches after receiving advertisement information including price of goods or services mobile terminal user sends a payment [i.e., costing] request to a network server and after receiving payment, position transmitter transmits acknowledgement and provides permission to the user to have access to services (see col.4, lines 33-54, col.6, line 48- col.7, line 10). Since, the user made a payment request for the service and receives permission to have access for the service after making payment it is inherent that after the user accepts the payment for the service, a service provider issues an authorization to provide service to the user. Thus the rejection of the claim in view of Rautila remain.

Regarding claims 6 and 7, the Applicant argues on page 16, lines 3-6 that “Ramachandran does not disclose the claim 6 requirement for a short-range transceiver of a mobile communication device informing a second communication device to download the required data”. The examiner agrees with this argument. However, examiner depends on Ramachandran reference only for the teaching of request downloading of the required data. Thus the rejection of the claims in view of Rautila and Ramachandran remain.

Regarding claims 8 and 9, the Applicant argues on page 17, lines 5-7 that “Applicants cannot understand how the scripts can be equated with the required data files of claims 8 and 9 and courteously request an explanation”. Hitchings teaches that a script is a compact message [i.e., data] detailing the time ordered input sequences during interaction with the voice menu information system (see col.15, lines 29-36). Since, the applicant is silent in the claim what the data file is, examiner interprets scripts as data files. Thus the rejection of the claims in view of Rautila and Hitchings remain.

Regarding claim 10, the Applicant argues on page 14, line 24-page 15, line 5 that “The rejection of claim 10 based on Rautila' is also incorrect, inter alia, because the Office Action fails to provide the necessary rationale for the statement that “Rautila further teaches that the mobile terminal placing inherently an order for the intended purchase with the supplier using its second transceiver when payment authorisation is received from the payment facility.” The examiner disagrees with this argument. Rautila teaches after receiving advertisement information including price of goods or services, mobile terminal user inherently decides for the intended purchase and inherently makes a request for a form of payment for the purchase (see col.7, lines 2-6). After receiving payment authorization the user sends a payment [i.e., costing] request to a network

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server and after receiving payment, position transmitter transmits acknowledgement and provides permission to the user to have access to services (see col.4, lines 33-54, col.6, line 48-col.7, line 10). Since, the user made a payment request for the service and receives permission to have access for the service after making payment it is inherent that the mobile terminal placing an order for the intended purchase with the supplier using its second transceiver when payment authorisation is received from the payment facility. Thus the rejection of the claim in view of Rautila remain.

Regarding claim 12, the Applicant argues about the added limitations on page 19, lines 3-9 that “combining Rautila and Ramachandran does not meet the terms of claim 12 because, as previously discussed with respect to Ramachandran, downloading a music file from ATM 10 to a device inserted into port 18 appears to be in response to a payment being made to the ATM, not because a processor of the mobile device inserted into port 18 has a short-range, high data rate transceiver that requests downloading”. The examiner agrees with this argument. However, examiner depends on Ramachandran reference only for the teaching of the processor being programmed to control the second transceiver to request downloading of a given music file from a similar communications device within the range of the second transceiver. Thus the rejection of the claim in view of Rautila and Ramachandran remain.

Regarding claim 14, the Applicant argues about the added limitations on page 19, lines 3-9 that “With regard to claim 14, the Examiner is requested to explain how Ramachandran discloses a mobile phone (which is merely inferentially mentioned in the last two words of paragraph (0059) in conjunction with a processor programmed to control a request for permission from ATM 10 to download a given music file from a similar communication device

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holding a music file in its storage device drive. How is the foregoing disclosed by Rmmnchandran in FIG. 2 and paragraphs (0044)e (0050J, I0059J-(0062)? Where do the foregoing portions of Rnmnchandran disclose a processor programmed to control a mobile phone transceiver to request downloading of music files once authorization is received from ATM 107". Examiner depends on Ramachandran reference only for the teaching of requesting permission from a service provider to download said given music file from a similar communication device holding said music file in its memory. Thus the rejection of the claim in view of Rautila and Ramachandran remain.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 16 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

5. The claim 16 contains subject matter i.e., a filter enabling only certain music files from the similar communications device to be downloaded from the second transceiver into the memory, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

6. The claim 18 contains subject matter i.e., second communications device having a first transceiver and a second transceiver and second communications device receiving confirmation that the first communications device has the required data, with the service provider using its

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first transceiver to request permission for the transfer of the required data from the first communications device to the second communications device, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 17, the phrase ‘the second communications device’ in line 8 of the claim lacks sufficient antecedent basis.

Regarding claim 18, the citation ‘one of the at least one second communications device’ in lines 2 and 3 lacks sufficient antecedent basis. Because, ‘one second communications device’ is a single device. It appears that the citation would be ‘the second communications device’.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-5, 10 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Rautila et al. (U.S. Patent No. 6,549,625).

Regarding claim 1, Rautila teaches forming a coordinated short-range wireless network using the mobile terminal [i.e., first communications device] and at least one vending machine or location based device [i.e., second communications device] of a similar type (fig.1, items 12, 27'', 25; col.7, lines 1-10).

Rautila further teaches initiating communication between the mobile terminal [i.e., first communications device] and the at least one vending machine or location based device [i.e., second communications device] to establish whether or not the at least one data transmitting unit has data required by the mobile terminal (col.7, lines 1-10).

Rautila further teaches that the mobile terminal communicating, upon the mobile terminal receiving confirmation that a vending machine or location based device has the required data, with a service provider using its first transceiver to request permission for the transfer of the required data from the vending machine or location based device to the mobile terminal (col.6, line 48- col.7, line 10). (Note; since, the user pays for a service and position transmitter acknowledges it, it is inherent that mobile device makes a request for permission for the transfer for the required data)

Rautila further teaches that transferring the required data from the vending machine or location based device to the mobile terminal following transmission by the service provider to the mobile terminal of authorization (col.6, line 48- col.7, line 10).

Regarding claim 2, Rautila teaches that the service provider transmits provisional permission, together with a costing, to the first transceiver of the first communications device (col.6, line 48- col.7, line 10).

Regarding claim 3, Rautila teaches the first communications device transmitting a message accepting the costing to the service provider using its first transceiver (col.6, line 48- col.7, line 10).

Regarding claim 4, Rautila teaches the service provider issuing inherently an authorisation once acceptance of the costing has been received from the first communications device (col.6, line 48- col.7, line 10).

Regarding claim 5, Rautila teaches the service provider communicating the costing to a network service provider of the first communications device (col.6, line 48- col.7, line 10).

Regarding claim 10, Rautila teaches inputting details of an intended purchase into a memory provided in the mobile terminal [i.e., first communications device] (col.6, line 48- col.7, line 10, col.9, lines 12-42).

Rautila further teaches transmitting details of the intended purchase, using the second transceiver of the mobile terminal, to any similar, in-range transceiver which communicates at the second, higher data rate over a short range, any such similar transceiver being associated with a respective supplier (fig.1; col.6, line 48- col.7, line 10, col.9, lines 12-42).

Rautila further teaches receiving, at the second transceiver of the mobile terminal, a communication from any such similar transceiver indicating that the intended purchase is available and indicating its cost (col.4, lines 33-54, col.6, line 48- col.7, line 10).

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Rautila further teaches the mobile terminal communicating, upon receiving the communication from the supplier, with a payment facility using its first transceiver (col.4, lines 33-54, col.6, line 48- col.7, line 10).

Rautila further teaches that the mobile terminal placing inherently an order for the intended purchase with the supplier using its second transceiver in response to payment authorisation is received from the payment facility (col.4, lines 33-54, col.6, line 48- col.7, line 10).

Regarding claim 17 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Rautila teaches initiating communication between the second transceiver of the mobile terminal [i.e., first communications device] and the short-range transceiver vending machine or location based device [i.e., second communications device] to establish whether or not the at least one data transmitting unit has data required by the mobile terminal (col.7, lines 1-22, col.8, lines 30-41).

Rautila further teaches that the transfer occurring following transmission, via the long-range link (fig.1; col.6, line 48- col.7, line 10).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

13. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

14. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al. (U.S. Patent No. 6,549,625) in view of Ramachandran et al. (U.S. Pub. No. 2001/0044747).

Regarding claims 6 and 7, Rautila teaches that the second transceiver of the first communications device communicates, once the authorisation has been received, with the second communications device to inform that device that authorisation has been received (col.6, line 48-col.7, line 10).

However, Rautila does not specifically teach "request downloading of the required data". Ramachandran teaches to request downloading of the music sound files (i.e., required data)

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(fig.2; page 4, paragraphs 0044, 0050, page 5, paragraph 0059). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rautila to request downloading of the required data as taught by Ramachandran. The motivation for the modification is to have doing so in order to download the sound files.

15. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al. (U.S. Patent No. 6,549,625) in view of Hitchings, Jr. (U.S. Patent No. 6,594,484).

Regarding claim 8, Rautila does not specifically teach “inputting a list of required data files into a memory provided in the first communications device”. Hitchings teaches inputting a list of scripts (i.e., required data files) into a memory provided in the wireless client device (i.e., first communications device) (col.2, lines 62-67, col.3, lines 1-8). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rautila to allow inputting a list of required data files into a memory provided in the first communications device as taught by Hitchings. The motivation for the modification is to have doing so in order to produce the user input interactions with an information access system.

Regarding claim 9, Rautila does not specifically teach “the list of required data files is communicated by the second transceiver of the first communications device”. Hitchings teaches the list of scripts (i.e., required data files) is communicated by the wireless client device (i.e., second transceiver of first communications device) (col.2, lines 62-67, col.3, lines 1-8). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rautila to allow the list of required data files being communicated by the second transceiver of the first communications device as taught by Hitchings. The motivation for the modification is to have doing so in order to make interactions with an information access system.

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16. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al. (U.S. Patent No. 6,549,625) in view of Kumar et al. (U.S. Pub. No. 2002/0143634).

Regarding claim 11, Rautila teaches the payment facility communicating the cost of the intended purchase to a cash register associated with the user of the first communications device upon the goods input device communicating to the payment facility that the order has been made (col.6, line 48- col.7, line 10).

Rautila does not specifically teach a banking facility associated with the user of the first communications device. Kumar teaches a banking facility associated with the user of the first communications device (fig.1; page 4, paragraphs 0036-0040). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rautila to allow a banking facility associated with the user of the first communications device as taught by Kumar. The motivation for the modification is to have doing so in order to provide the required transaction amount to the customer.

17. Claims 12, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al. (U.S. Patent No. 6,549,625) in view of Ramachandran et al. (U.S. Pub. No. 2001/0044747).

Regarding claim 12, Rautila teaches a communications device having a first transceiver for communication at a first data rate over a long range, a second transceiver for communication at a second, higher data rate over a short range (fig.1; col.6, line 48- col.7, line 10).

Rautila does not specifically teach a communications device having music player, a memory, and a processor for controlling downloading of music files to the memory, and for the transferring music files from the memory to the music player. Ramachandran teaches a mobile

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phone [i.e., communications device] having music player, a storage device drive [i.e., memory], and a processor for controlling downloading of music files to the memory, and for the transferring music files from the memory to the music player (fig.2; page 4, paragraphs 0044-0046, 0050, page 5, paragraph 0059). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rautila to allow a communications device having music player, a memory, and a processor for controlling downloading of music files to the memory, and for the transferring music files from the memory to the music player as taught by Ramachandran. The motivation for the modification is to have doing so in order to download the sound files and play it.

Rautila further does not specifically teach “the processor being programmed to control the second transceiver to request downloading of a given music file from a similar communications device within the range of the second transceiver”. Ramachandran teaches that the processor is programmed to control the mobile phone [i.e., second transceiver] to request downloading of a given music file from a similar communications device within the range of the second transceiver (fig.2; page 4, paragraphs 0044-0046, 0050, page 5, paragraph 0059). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rautila to allow the processor being programmed to control the second transceiver to request downloading of a given music file from a similar communications device within the range of the second transceiver as taught by Ramachandran. The motivation for the modification is to have doing so in order to provide the request to download the sound files.

Regarding claim 14, Rautila fails to teach “request permission from a service provider to download said given music file from a similar communication device holding said music file in

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its memory". Ramachandran teaches requesting permission from a an ATM [i.e., service provider] to download the given music file from a similar communication device holding the music file in its storage device drive [i.e., memory] (fig.2; page 4, paragraphs 0044, 0050, 0051, page 5, paragraphs 0059-0061, page 6, paragraph 0062). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rautila to allow requesting permission from a service provider to download said given music file from a similar communication device holding said music file in its memory as taught by Ramachandran. The motivation for the modification is to have doing so in order to provide the permission for downloading the sound files.

Regarding claim 15, Rautila fails to teach "the processor is programmed to control the second transceiver to request downloading of said music file once authorisation is received from the service provider". Ramachandran teaches that the processor is programmed to control the mobile phone [i.e., first transceiver] transceiver to request downloading of the music file once authorisation is received from the ATM [i.e., service provider] (fig.2; page 4, paragraphs 0044, 0050, page 5, paragraphs 0059-0061, page 6, paragraph 0062). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rautila to allow the processor being programmed to control the first transceiver to request permission from a service provider to download said given music file from a similar communication device holding said music file in its memory as taught by Ramachandran. The motivation for the modification is to have doing so in order to provide the permission for the required transaction to the customer.

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18. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila et al. (U.S. Patent No. 6,549,625) in view of Ramachandran et al. (U.S. Pub. No. 2001/0044747) further in view of Pradhan et al. (U.S. Pub. No. 2002/0160793).

Regarding claim 16, Rautila teaches broadcast information such as webpage is downloaded from the network server [i.e., similar communications device] from the cellular transceiver [i.e., second transceiver] into the memory (col.6 line 48-col.7, line 22, col.8, lines 2-9, 30-35). However, Rautila in view of Ramachandran does not specifically teach a filter for enabling only certain music files to be downloaded into the memory. Pradhan teaches a filter for enabling only certain music files to be downloaded into the memory (fig.6; page 4, paragraph 0055). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rautila in view of Ramachandran to incorporate a filter for enabling only certain music files to be downloaded into the memory as taught by Pradhan. The motivation for the modification is to have doing so in order to selectively download music of mobile user's interest.

Allowable Subject Matter

19. Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable after overcoming 35 U.S.C. 112, first paragraph and second paragraph rejections, if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Morris et al. (U.S. Patent No. 6,694,359) teach Data collection and dissemination system, Jones (U.S. Patent No. 5,479,156) teach Vehicle security system responsive to short and long range transmitters, Raith (U.S. Patent No. 6,885,869) teach Method for mating a mobile terminal with a cordless phone system and Faranda Cordella et al. (European Patent application No. EP 1489682) teach Vehicle equipped with an on-vehicle telecommunication system communicating with a user portable communication device housed in a shielding environment.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OVIDIO ESCALANTE
PATENT EXAMINER

M. E.

MD SHAFIUL ALAM ELAHEE
October 3, 2005

Ovidio Escalante